

HANOVER PLANNING BOARD



APRIL 9th, 2007

MINUTES OF MEETING

At 6:45 P.M., the Chairman Peter Moll called to order the April 9, 2007 meeting of the Hanover Planning Board. Board members Peter Moll, Rich DeLuca, Maryann Brugnoli and Gary Hendershot were present. Associate members Bernie Campbell and Tony Losordo were also present. Steve Rusko was absent. Town Planner, Andrew Port was absent. The Board reviewed the minutes of the March 21 and March 26, 2007 meetings. Rich made a motion to accept both sets of minutes as written. Maryann seconded the motion and it was so voted unanimously.

PUBLIC HEARINGS

Hanover Hills – Cross Street – PB07-5C

The Chairman opened the hearing at 7:00 p.m. Gary read a memo from Capt. Stone of the Fire Department dated April 6, 2007. He then read a memo from Board of Health agent, Jeannemarie Kent-Joyce dated April 4, 2007. Peter waived the reading of the memo from DPW Superintendent, Victor Diniak dated April 4, 2007. Peter told the applicant that the Board was unhappy with the quality of the submission. He briefly went over the deficits of the plans and asked the applicant if he would be willing to withdraw without prejudice and re-apply at a later date once they get the plans correct. Jim Burke of the Decelle Group, the engineer for the applicant disagreed with the Chairman's comments. He also indicated that he felt the memo from the Board of Health agent was incorrect. Pam Manning, of 166 Cross Street told the Board that she was dismayed with what was being said. Her property is part of the project and she is expecting to build a new home in the subdivision. She told the Board that she was speaking on behalf of all of the neighbors involved in the project and that they were in favor of the project and did not understand the discrepancies. Peter explained that the engineer had submitted plans that did not meet the requirements of the Town and that all of the other Boards involved had serious problems with the submission. Jim Burke tried to defend his position that he had addressed comments, but the Board showed several examples of discrepancies from the reports submitted by other Boards and by the Town's engineer. Paul Ricciardi, the applicant told the Board that he, Mr. Burke and Ms. Manning had met previously with the Town Planner and Dave Nyman discussing the plan and he felt that he left the meeting with the idea that he was in compliance on most points. Peter then told Mr. Ricciardi that it wasn't enough to just feel that they were in compliance, that the science and facts from the engineers and other Boards was what was important. Mr. Ricciardi asked if the project was possible. The Board told him that it was not possible with the current plans. The applicant's attorney Mr. Henry Levin spoke to the audience and explained what would happen if they withdrew without prejudice. He suggested that this might be the best course of action for all involved. He then asked the Board if they would need to re-file if they did withdraw. Peter gave them the option of requesting a 90 day extension and coming back to the Board when they had the plans revised to conform to the Town's bylaws. Mr. Burke then spoke about the retaining walls shown on the plans. Peter read the comments from Victor Diniak pointing out the problems with the retaining walls. Mr. Ricciardi then asked if the Board was in favor of an underground water recharge system. The Board told him that they were not allowed by the DPW. Peter will talk to Victor Diniak and get more clarification on the reasons why the systems are not allowed. Peter then told the audience that this project needs a lot more work. Rich Deluca recused himself from voting because of a professional relationship he has had with the applicant's attorney. The

Board asked Tony Losordo to sit in for Rich. Maryann made a motion to approve a 90 day extension as requested by the applicant. Tony seconded the motion and it was so voted unanimously.

222 Webster Street – PB07-1SP

The Board reviewed a request from the applicant for a continuance. Maryann motioned to continue the hearing until May 21, 2007 at 8:30 p.m. Rich seconded the motion and it was so voted unanimously.

14 Hanover Street – K9-5 Dog Day Care

The Chairman opened the hearing at 8:45 p.m. Gary read the public hearing notice into record. He read a memo from Victor Diniak, DPW director, dated April 5, 2007 into record. He then read a memo from Capt. Barbara Stone of the Fire Department dated April 5, 2007. The applicant presented the Board with a signed Water Quality Compliance Certificate issued by the DPW. The Board discussed the proposed fencing and recommended that it be stockade fencing to cut down on noise and odor. The, applicant Susan Karsch, explained that the fenced area would only be used for elimination and not for exercise or play time for the dogs. She also explained that the hours of operation would be from 7 a.m. to 6 p.m. Monday through Friday but that they would like to offer training classes for the dogs and their owners in the evening. She indicated that there would be no weekend hours. She told the Board that they would have an average of 10 – 15 dogs during the day and they would be divided into 3 play groups. She went over the disposal of waste procedure and told the Board that the solid waste would be put in a dumpster and removed daily and the fenced area would be hosed down frequently to eliminate odor. Christopher Clapp, the property owner, answered questions from the Board pertaining to the nature of the other tenants of the building. Several abutters were present and expressed concern for the additional noise from barking dogs. Albert Wood of 60 Hanover Street was concerned about the barking at night. The applicant explained that the dogs who may come in the evening will be controlled by their owners. Peter suggested that the applicant talk to Andy Port, the Town Planner to clarify what is required for dumpster screening and maintenance of the fenced area. Joan Wilson of 45 Hanover Street was concerned about additional traffic and evening noise. Maryann suggested putting some kind of restrictions on the hours of operations. Peter suggested that they give the operation a chance and see if any problems arise. He then informed the audience that if there were ever a problem that they could notify the Board. Kimberly Wood of 60 Hanover Street was concerned that the close proximity of the dogs at the center would upset her dog during the day causing a nuisance to her neighbors. Peter will talk to Andy about the actual proximity of the abutters' property and about the fencing and disposal issues. Gary made a motion to close the hearing. Maryann seconded the motion and it was so voted unanimously. The Board will look over the decision as soon as the Town Planner prepares the draft.

SIGNING OF LOT RELEASES, FORM A'S, DECISIONS, AND BILLS

The Board endorsed assorted invoices.

The Board reviewed the draft decision PB07-15SP for the Village Commons VPUD. Gary made a motion to approve the decision as written and send it to the Town Clerk to begin the 20 day appeal period. Tony seconded the motion and it was so voted unanimously.

The Board reviewed the draft decision PB07-16SP for the Village Park VPUD. The Board discussed proposed 2 amendments the decision from the applicant. They decided to approve one of the amendments. Tony made a motion to approve the decision as amended. Rich seconded the motion and it was so voted unanimously.

OTHER BUSINESS

The Board reviewed the minutes of the September 25, 2006 meeting. They realized that no official vote had been taken concerning the tree removal hearing with the Tree Warden. There was no contention or controversy from the Board. The Board stressed that they were in favor of the list of trees as submitted by the tree warden. Maryann made a motion to approve the list of trees for removal or trimming as submitted. Rich seconded the motion and it was so voted unanimously.

Maryann motioned to adjourn at 9:30 p.m. Rich seconded the motion and it was so voted unanimously.
Meeting was adjourned at 9:30 p.m.

Respectfully Submitted,

Margaret Hoffman

PLANNING BOARD SECRETARY